

## DOCKET NO. 2022-84-WS

SARAH ZITO; ALVARO SARMIENTO,  
JR.; MARK SHINN; AND DANIEL  
BERMUDEZ,  
  
Complainants,  
  
v.  
  
STRATA AUDUBON, LLC AND  
STRATA VERIDIAN, LLC,  
  
Defendants.

This complaint, which mirrors the arguments advanced previously in the Court of Common Pleas and the United States District Court for the District of South Carolina, arises out of Complainants' claims that the Strata Defendants are operating a public utility with unapproved rates because of the manner in which the Strata Defendants allocate the cost of water and sewer service to residents of two apartment communities. The Strata Defendants received service of process via certified mail—through their agent CT Corporation—on March 3, 2022. *See* Ex. A, Service of Process Transmittal. At the time, however, CT Corporation

only received the individual Complainant form sheets. The Strata Defendants did not receive an actual copy of the complaint filed in this docket until they retained South Carolina counsel, who only recently located the complaint.

Because the complaint purports to assert twelve separate claims related to complicated utility issues,<sup>1</sup> and additionally because of scheduling constraints in other matters, the Strata Defendants require additional time to prepare an appropriate response to the complaint. The current deadline to file a responsive pleading is April 4, 2022. With a 30-day extension, a responsive pleading would be due on May 4, 2022. The Strata Defendants have not previously requested an extension of the deadline, and Complainants would experience no prejudice from this minor extension.

Accordingly, for good cause shown, the Strata Defendants respectfully request that the Commission stay the current April 4, 2022 deadline and enter an Order extending the deadline to file a responsive pleading by 30 days.

Dated this 30<sup>th</sup> day of March, 2022.

/s/Vordman Carlisle Traywick, III

Kevin K. Bell

Vordman Carlisle Traywick, III

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Strata Veridian, LLC*

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<sup>1</sup> In addition to claims made related to Title 58, the complaint asserts causes of action for breach of contract, violation of the Uniform Residential Landlord and Tenant Act, negligence, unjust enrichment, and violation of the South Carolina Unfair Trade Practices Act.

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2022-84-WS

IN RE:

SARAH ZITO; ALVARO SARMIENTO,  
JR.; MARK SHINN; AND DANIEL  
BERMUDEZ,

Complainants,

v.

STRATA AUDUBON, LLC AND  
STRATA VERIDIAN, LLC,

Defendants.

CERTIFICATE OF SERVICE

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Robinson Gray Stepp & Laffitte, LLC, have this day caused to be served upon the person(s) named below the Notice of Appearance and Motion for Extension on behalf of Strata Audubon, LLC and Strata Veridian, LLC in the foregoing matter by electronic mail and/or by placing a copy of same in the U.S. Mail addressed as follows:

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Dated at Columbia, South Carolina this 30<sup>th</sup> day of March, 2022.

